

(i) Connects to a drainage system or part of a drainage system that is subject to the control of the WSSC; or

(ii) Is installed in a drainage easement that has previously been established by plat or other dedication.

(2) Except as provided in this section, and unless the WSSC first approves the plans and specifications for a storm or surface water drainage system, a person may not construct or install a storm or surface water drainage system or part of a system or a connection to an existing system or part of a system.

(3) The construction and, if required by the permit, maintenance items for a storm or surface water drainage system under paragraph (1) of this subsection shall conform to the approved plans and specifications for the system.

(4) If, under the provisions of this section, a permit and approval for construction is required or was required at the time of the construction, and a storm drainage system or part of a storm drainage system is or was constructed without the required permit and approval, the WSSC, on learning of the illegal construction, may require the owner or the person who constructed the drain, or the person who is then responsible for the drain:

(i) To bring the drain into conformity with the requirements under this section; or

(ii) Failing conformity, to remove the drain.

(5) A person may not fail to comply with an order of the WSSC under paragraph (4) of this subsection.

(c)] (1) [This subsection does not apply to] UNLESS THE COUNTY OTHERWISE AGREES:

(i) A [storm drainage] STORMWATER MANAGEMENT system that is located on real property owned by the Maryland-National Capital Park and Planning Commission[, which] shall be maintained by the Maryland-National Capital Park and Planning Commission; or

(ii) A [storm drainage] STORMWATER MANAGEMENT system or facility that is located in a road maintained by the State Highway Administration[, which] shall be maintained by the State.

(2) [The WSSC] THE COUNTY shall maintain every storm drainage system and part of every system that had been constructed BY WSSC OR THE COUNTY OR ACCEPTED FOR MAINTENANCE BY WSSC OR THE COUNTY as of July 1, [1966] 1987 AND WHICH IS located